



Port Community Information Bulletin # 15-02
Marine Safety Office (813) 228-2189
Tampa, Florida

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SECURITY GUARD STANDARDS FOR VESSELS WITH UNDOCUMENTED CREWMEMBERS OR UNAUTHORIZED PERSONS

Following the September 11th terrorist attacks, Immigration and Naturalization Services (INS) partnered with the Coast Guard to develop initiatives intended to make our borders more secure. Lengthening of the usual advanced notification period from 24 to 96 hour prior to port entry is one of the many initiatives. As a result of prescreening vessels and crewmembers, a significant number of vessels have been targeted by INS as having insufficiently documented crewmembers or unauthorized persons on board who do not meet United States entrance requirements.

Effective immediately, the Captain of the Port is implementing use of *Security Guard Standards for vessels with undocumented crewmembers or unauthorized persons*. These standards were developed through the Tampa Bay Harbor Safety Committee, Port Security Committee and detail information vessel agents/owners must provide INS and the Coast Guard. Vessels identified by INS as having insufficiently documented crewmembers or unauthorized persons on board must provide a security guard who has detention and arrest authority in the state of Florida and have an INS/USCG approved security plan prior to entering Tampa Bay.

Questions or comments regarding this bulletin should be directed to LT Latasha Pennant at (813) 228-2189 ext 152.

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SECURITY GUARD STANDARDS

For Vessels With Undocumented Crewmembers Or Unauthorized Persons

PURPOSE: In an effort to provide the Maritime Community within the Captain of the Port (COTP), Tampa, Florida area of responsibility a consistent requirement for the security of foreign crewmembers, the following standards are established.

BACKGROUND: After the events of 9-11, vessels entering U.S. ports have been required to provide 96-hour advance notice of arrival for the normal screening process of passenger and crew information. As a result of prescreening, individuals and/or vessels are frequently targeted by the Immigration and Naturalization Service (INS) prior to arrival as having insufficiently documented crewmembers or unauthorized persons on board the ship not meeting entrance requirements for the United States and posing security concerns. INS, in partnership with the Coast Guard, has taken several initiatives to make our borders more secure and implemented a number of changes designed to enhance border security at seaports. The primary purpose of these initiatives is to prevent the entry of malafide individuals into the United States.

ACTION: As an enhanced border security initiative, INS will order that all crewmembers not in possession of a valid travel document and visa, unless exempt by regulation, as well any crewmembers not meeting any other entrance requirements for the United States will be detained on board the vessel. Furthermore, agents or owners of said vessels will be required to post security guards at the gangway to prevent said detained crewmembers from absconding. If the vessel has crewmembers on board deemed to pose a threat to abscond or a threat to port security by the Immigration and Naturalization Service (INS), the owner or the agent must submit a security plan to the local INS office for approval. In order to be approved, the security plan must state that all standards, as contained herein, will be met or exceeded. Vessel agents should contact the local INS office at (813) 348-1700 to discuss security plans and then should fax plans to INS Tampa at (813) 348-1702 for review and approval. Upon notification that a security guard is required, the agent and/or owners shall meet the following security requirements:

- Provide an armed security guard at the gangway of the ship. The guard must have detention and arrest authority in the state of Florida and have credentials allowing access to the facility;
- Provide the security guard with photo identification of all detained crewmembers;
- Contracted security assigned to provide security services are to ensure that only those crewmembers authorized to disembark will be allowed to do so;
- Security services must be contracted before the vessel is given clearance to enter port. Agent and/or owner must ensure the security services are in place before the vessel is allowed to moor;

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- On-scene security services must have a copy of the entire crew list, with the names of those not authorized to go ashore highlighted. The security services must verify the identity of any subject requesting to come ashore, checking the subject's stated name against that found on the travel document provided and checking the subject's physical appearance against those descriptions found in the document presented and against the photo on the identity document;
- Contracted security assigned to provide security services at vessels on which INS has detained crewmembers shall be capable of communicating with port authority port security, local Police, local INS, local USBP, local USCG, and the local office of FBI, as well as the vessel's agent;
- Contracted security guards must be provided with sufficient shelter to protect against severe weather conditions, such as high heat, oppressive sunshine, and cold. The shelter must be in the immediate vicinity of the gangway and shall ensure a sufficient wide field of view to allow the security guards to perform their assigned duties;
- A relief guard meeting the same requirements detailed in this document must be provided to provide periodic breaks for restroom calls and meals. No guard may stand watch for more than 12 hours in a 24 hour period;
- Contracted security guards must be provided with adequate communications to fit the situation. The agent and/or owner shall contact the respective port authority to obtain required communication equipment for the security guard. In most instances, radio communication will be sufficient. If the port does not have a 24-hour operations radio communications center with radio communications, a cellular phone will be required;
- Contracted security guards must have written operating procedures and contact numbers readily available.

STANDARD OPERATING PROCEDURES

- 1) Vessel must have an INS/USCG approved security plan in place before entering Tampa Bay;
- 2) Security services must have a complete crew list identifying those crewmembers who are not authorized to go ashore;
- 3) Security services must maintain a log of all persons going on board and going ashore;
- 4) Security services must have a communication plan, to include the following:
 - a. Local INS, Tampa Inspections (813-348-1700)
 - b. Local U.S. Coast Guard (813-228-2189 ext 101)
 - c. Tampa Port Authority Security (813-905-5045)
 - d. Port Manatee Security (941-722-6455)
 - e. Port of St. Petersburg (727-893-7053)
 - f. Local U.S. Border Patrol (813-228-2160)
 - g. Local FBI (813-273-4566)
 - h. Florida Department of Law Enforcement (800-226-1140)

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- i. Hillsborough County Sheriff (813-247-8200)
 - j. Manatee County Sheriff (941-747-3011)
 - k. Pinellas County Sheriff (727-582-6200)
 - l. Contract Security (local phone number)
 - m. Dispatcher (local phone number)
 - n. Agent for particular vessel (local phone number)
- 5) Valid crew must present proper documentation (determined by INS) and must be crosschecked against the crew list provided by the INS. Only that crew identified as D-1 or D-2, ARC, or USC are permitted to disembark the vessel. Questions relating to whether a particular crewmember is allowed to disembark shall be forwarded to the ship's agent and if necessary, the INS;
- 6) If unauthorized crewmembers attempt to disembark the vessel, contracted security services should attempt to prevent unauthorized landings through the issuance of verbal commands. The use of lethal force should only be utilized in self-defense or in defense of others;
- 7) Any attempt to disembark a vessel by crewmembers not authorized to land shall be reported to local security services, port authority guard posts, facility managers, local police, local INS, local USBP, local USCG, and the local FBI. If unauthorized crewmembers successfully disembark the vessel, contracted security services must immediately contact the agencies above, providing name, description, and circumstances surrounding the situation. Off duty law enforcement officers, acting as security guards, have full arrest authority and can charge any crewmember attempting to abscond with trespassing. Such a crewmember can be taken into custody by local police authorities and locked up in a county holding facility and then referred to INS and the U.S. Border Patrol for further processing and removal from the United States at the owner/agent's expense;
- 8) Persons visiting the vessel may embark and disembark if proper identification is provided. This may include vendors and service providers contracted to the ship (i.e. stevedores, agents).

In certain circumstances, you may propose alternatives, such as repatriation under safeguard, which if found to be acceptable by the INS and the USCG, may be used. All security plans must achieve the performance standard required – ensuring that the guard(s) is/are effective in keeping the detained crewmember(s) on board during the vessel's entire stay in port. Please ensure that your crewmember security plan addresses all these issues. If either INS or the USCG become concerned that security is inadequate, in accordance with 33 CFR Part 6, the COTP may issue an order barring the vessel from entry or compelling immediate departure.